

1 COOLEY LLP  
2 JOHN C. DWYER (136533) (dwyerjc@cooley.com)  
3 PATRICK E. GIBBS (183174) (pgibbs@cooley.com)  
4 CLAIRE A. MCCORMACK (241806) (cmccormack@cooley.com)  
5 BRETT H. DE JARNETTE (292919) (bdejarnette@cooley.com)  
6 EMILY B. HARRINGTON (319657) (eharrington@cooley.com)  
7 3175 Hanover Street  
8 Palo Alto, CA 94304-1130  
9 Telephone: (650) 843-5000  
10 Facsimile: (650) 849-7400

11 Attorneys for Defendants  
12 NVIDIA CORPORATION, JENSEN  
13 HUANG, and COLETTE KRESS

14  
15  
16  
17 UNITED STATES DISTRICT COURT  
18 NORTHERN DISTRICT OF CALIFORNIA

19  
20 In re: NVIDIA CORPORATION  
21 SECURITIES LITIGATION

22 Case No. 4:18-cv-07669-HSG

23 CONSOLIDATED CLASS ACTION

24 This Document Relates to:

25 ALL ACTIONS  
26  
27  
28 **ORDER GRANTING DEFENDANTS'  
ADMINISTRATIVE MOTION TO  
RELATE AND CONSOLIDATE CASES  
AND TO APPOINT CO-LEAD COUNSEL**

Having considered the administrative motion of Defendants under Civil L.R. 3-12 and

Federal Rule of Civil Procedure 42(a), the Court enters the following order:

1. The following three derivative actions (the "Derivative Actions"):

Abbreviated Case Name	Case Number	Date Filed in N.D. Cal.	Current Assignment
<i>Han v. Huang, et al.</i> (the " <i>Han Action</i> ")	3:19-cv-00341	Jan. 18, 2019	Hon. William H. Orrick
<i>Yang v. Huang, et al.</i> (the " <i>Yang</i> )	3:19-cv-00766	Feb. 12, 2019	Hon. Jon S. Tigar

Action”)			
<i>The Booth Family Trust v. Huang, et al.</i> (the “Booth Action”)	3:19-cv-00876	Feb. 19, 2019	Hon. Elizabeth D. Laporte

and the consolidated securities class action, *In Re NVIDIA Corporation Securities Litigation*, Case No. 4:18-cv-07669-HSG, (the “Consolidated Class Action”), currently pending before the Hon. Haywood S. Gilliam, Jr., involve substantially similar parties and events; conducting them before different judges would create the risk of potentially unduly burdensome duplication of labor and expenses and inconsistent results. Accordingly, the Derivative Actions are hereby related to the Consolidated Class Action and reassigned to the Hon. Haywood S. Gilliam, Jr.

2. Each of the Derivative Actions also involve substantially similar parties and events and there is a risk of unnecessary duplication of labor and expenses or conflicting results if they were to be conducted separately before different judges. Accordingly, the Derivative Actions are also hereby related to each other.

3. The Derivative Actions involve a common question of law and fact. Pursuant to Federal Rule of Civil Procedure 42(a), the Derivative Actions are hereby consolidated with each other for all purposes, including pre-trial proceedings and trial, under Case No. 3:19-cv-00341, which shall serve as the lead case (the “Consolidated Derivative Action”).

4. The Consolidated Derivative Action shall not be consolidated with the Consolidated Class Action.

5. Every pleading filed in the Consolidated Derivative Action shall bear the following caption:

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

In re NVIDIA CORPORATION  
CONSOLIDATED DERIVATIVE  
LITIGATION

Case No. 4:19-cv-00341

Judge: Hon. Haywood S. Gilliam, Jr.  
Courtroom: 2

## This Document Relates to:

Related Case No. 4:18-cv-07669-HSG

## ALL ACTIONS

6. All papers filed in connection with the Consolidated Derivative Action will be maintained in one file under Lead Case 4:19-cv-00341.

7. Co-Lead Counsel for Plaintiffs for the conduct of the Consolidated Derivative Action shall be:

## **THE ROSEN LAW FIRM, P.A.**

Laurence M. Rosen

355 South Grand Avenue, Suite 2450  
Los Angeles, CA 90071  
Telephone: (213) 785-2610  
Facsimile: (213) 226-4684  
Email: lrosen@rosenlegal.com

## **THE BROWN LAW FIRM, P.C.**

Timothy Brown  
240 Townsend Square  
Oyster Bay, NY 11771  
Telephone: (516) 922-5421  
Facsimile: (516) 344-6204

Email: tbrown@thebrownlawfirm.net

WEISSLAW LLP

David C. Katz  
1500 Broadway, 16th Floor  
New York, NY 10036  
Telephone: (212) 682-3025  
Facsimile: (212) 682-3010  
Email: [dckatz@weisslawllp.com](mailto:dckatz@weisslawllp.com)

1           8. Plaintiffs' Co-Lead Counsel shall have the sole authority to speak for Plaintiffs in all  
2 matters regarding pre-trial procedure, trial, and settlement negotiations and shall make all work  
3 assignments in such manner as to facilitate the orderly and efficient prosecution of this litigation and  
4 to avoid duplicative or unproductive effort.

5           9. Co-Lead Counsel will be responsible for coordinating all activities and appearances on  
6 behalf of Plaintiffs. No motion, request for discovery, or other pre-trial or trial proceedings will be  
7 initiated or filed by any plaintiffs except through Co-Lead Counsel.

8           10. Defendants' counsel may rely upon all agreements made with Co-Lead Counsel, or  
9 other duly authorized representative of Co-Lead Counsel, and such agreements shall be binding on all  
10 Plaintiffs.

11          11. For all shareholder derivative actions subsequently filed in, removed to, reassigned to,  
12 or transferred to this Court that are related to the Consolidated Derivative Action by the Court, the  
13 parties (including the parties to the subsequently filed action) shall meet and confer regarding potential  
14 consolidation. If the parties ultimately stipulate to consolidation, such action will be consolidated with  
15 the Consolidated Derivative Action. If the parties are unable to agree on consolidation, the parties  
16 shall bring the matter to the Court's attention within 10 days after the subsequently filed or transferred  
17 action is related to the Consolidated Derivative Action.

18          12. The parties shall submit a proposed schedule within thirty (30) days of entry of this  
19 Order. Defendants are not required to answer, move, or otherwise respond to the respective complaints  
20 filed in the *Han*, *Yang*, or *Booth* actions until the deadline set forth in the Court's order on the parties'  
21 proposed schedule. The Court's scheduling order will supersede any and all deadlines previously set  
22 in the individual Derivative Actions.

23          13. The parties are not waiving any rights, claims, or defenses of any kind except as  
24 expressly stated herein, and the parties reserve the right to seek further extensions of time as  
25 circumstances may warrant, subject to the Court's approval.

26          14. The clerk is directed to administratively close the later-filed civil actions, Case Nos.  
27 19-cv-00766 and 19-cv-00876.

28          //

1 IT IS SO ORDERED.

2 DATED: MARCH 12, 2019



3 Hon. Haywood S. Gilliam, Jr.  
4 United States District Court Judge

5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28